

REMARKS

Applicants have submitted this Response in reply to the non-final Office Action dated April 26, 2007. Applicants have amended the specification and claims 1 to 7, 18 to 27 and 34 to 38. Applicants have not introduced any new matter by such amendments. Applicants have submitted a Supplemental Information Disclosure Statement, a Terminal Disclaimer and a Petition for Two Month Extension of Time with this Response. The Commissioner is hereby authorized to charge deposit account 02-1818 for any amounts due.

The Office Action noted that the Information Disclosure Statement filed on October 24, 2005 (mailed on October 21, 2005) failed to comply with certain requirements. Applicants will resubmit these references in an Information Disclosure Statement, along with other references. This Information Disclosure Statement will be filed in the near future.

The Office Action objected to the disclosure because of certain informalities. Applicants have amended the disclosure and respectfully submit that such amendments remedy such objections. The Office Action objected to claim 38 citing an informality. Applicants respectfully submit that the amendments made to claim 38 render this objection moot.

The Office Action rejected claims 3, 20, 24, 32 and 34 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention for the reasons noted in paragraph 6 on page 3 of the Office Action. Applicants note that the amendments made to each of these claims remove the language identified in the Office Action and render these objections moot.

The Office Action rejected claims 1 to 4, 6, 7, 18 to 24 and 34 to 38 under 35 U.S.C. § 102(b) and/or 103(a) as being unpatentable over U.S. Patent No. 1,469,275 to Moller et al. ("Moller"). Applicants respectfully submit that the amendments made to independent claims 1 and 18 render the above rejections moot because the above reference does not disclose certain elements of the amended claims. For example, in the case of claim 1, Moller does not disclose ". . . a cleaning element configured to be supported by the housing, the cleaning element having an inner wall defining an opening sized to receive a portion of the first electrode such that the inner wall is at least partially in contact with the first electrode; and a cleaning element moving mechanism, the cleaning element moving mechanism being operable to cause the cleaning element to move relative to the first electrode, the inner wall cleaning said first electrode during

the movement.” Similarly, in the case of claim 18, Moller does not disclose “. . . a cleaning element having an inner wall defining an opening sized to receive a portion of the emitter electrode such that the inner wall is at least partially in contact with the emitter electrode [and] an arm configured to operatively connect the cleaning element to the collector electrode, the arm being operable to cause the cleaning element to move relative to the emitter during the movement of the collector electrode, the inner wall cleaning the emitter electrode during the movement . . .” Moller states, “[a]s shown in Fig. 3 either one of the discharge electrode members, for example, the member 8, may be provided with a ring 25 connected thereto by suitable insulating means 26 and adapted to slide within the tubular collecting electrodes 2 to guide the discharge electrodes and also serve to scrape and clean the collecting electrodes. . .” (Moller, page 2, lines 11 to 17). In Moller, the tubular electrodes are not cleaned by an inner wall defining an opening, they are cleaned by an outer wall of the ring 25. Accordingly, Applicants respectfully submit that claims 1 to 4, 6, 7, 18 to 24 and 34 to 38 are patentable over Moller and in condition for allowance.


The Office Action rejected claims 5, 8 to 17 and 25 to 33 on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1, 2, 5, 8, 10 and 12 to 14 of U.S. Patent No. 6,350,417 to Lau et al. Applicants have submitted a Terminal Disclaimer with this Response and respectfully submit that the Terminal Disclaimer overcomes this rejection as to claims 8 to 17 and 28 to 33, placing these claims in condition for allowance. Regarding claims 5 and 25 to 27, Applicants have amended these claims, rendering the double patenting rejection moot, subject to consideration of the amended claims.

An earnest endeavor has been made to place this application in condition for allowance, and such allowance is courteously solicited. If the Examiner has any questions related to this Response, Applicants respectfully request that the Examiner contact the undersigned.

Respectfully submitted,

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